

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CARMEN POLITO

)  
)  
)  
)  
)

Criminal No. 17-MJ-6088-MPK

**STATUS REPORT**

Pursuant to this Court's order, counsel for Carmen Polito hereby submits this status report<sup>1</sup> and states as follows:

1. Mr. Polito recently returned to this district after being evaluated to determine whether or not he could be restored to competency. That evaluation, conducted at FMC-Butner, concluded that Mr. Polito is currently competent to stand trial.
2. Since his return to this district, counsel has spoken to and met with Mr. Polito. The defense does not intend to dispute the conclusion of the evaluation from FMC-Butner that Mr. Polito is competent to stand trial at this time.
3. The defense has also retained a licensed social worker since Mr. Polito's return to this district to assist in formulating a release plan for Mr. Polito. Counsel for Mr. Polito has conferred with pre-trial services about a possible release plan for Mr. Polito. The defense expects to file a motion for Mr. Polito's pre-trial release from custody after finalizing a release plan and conferring with pre-trial services and the government.
4. At this time, the defendant asks that this Court schedule a competency hearing pursuant to the provisions of 18 U.S.C. §4241(e), at which hearing the defendant intends to stipulate to the findings contained in the report from FMC-Butner.

CARMEN POLITO,  
By His Attorney

/s/ Jane F. Peachy  
Jane F. Peachy, BBO#661394  
Federal Public Defender Office  
51 Sleeper Street, 5<sup>th</sup> Floor  
Boston, MA 02210  
Tel: 617-223-8061  
Email: jane\_peachy@fd.org

---

<sup>1</sup> The Court requested that this status report be filed by May 25, 2018. Counsel asks for leave of the Court to file this report late.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that this document, filed under seal, was forwarded via electronic mail to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 28, 2018.

/s/ Jane F. Peachy  
Jane F. Peachy